IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

| PATSY T. DAY, on behalf of |) | |
|-------------------------------------|---|-------------------|
| JAMES P. BLOCK, deceased, |) | |
| |) | |
| Plaintiff |) | |
| |) | |
| VS. |) | No. CIV-05-1328-C |
| |) | |
| JO ANNE B. BARNHART, |) | |
| Commissioner of the Social Security |) | |
| Administration, |) | |
| |) | |
| Defendant |) | |

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the Report and Recommendation entered by the United States Magistrate Judge on August 17, 2006. The court file reflects that no party has objected to the Report and Recommendation within the time limits prescribed. Therefore, the Court adopts the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation of the Magistrate Judge is adopted in its entirety, and this matter is reversed and remanded to the Commissioner for further administrative proceedings. A judgment shall enter accordingly.

IT IS SO ORDERED this 27th day of September, 2006.

ROBIN J. CAUTHRON United States District Judge